

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

ESTATE OF JAMES D. GALLOWAY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-50 Erie
)	
UNITED STATES,)	
)	
Defendant.)	

**REPORT OF PARTIES' PLANNING MEETING
AND JOINT PROPOSED DISCOVERY PLAN**

The parties, having conducted a conference by telephone, report and respectfully propose the following joint discovery plan pursuant to Fed. R. of Civ. P. 26(f):

A. Preliminary Issues

The parties agree that this case is appropriate for Track I case designation.

B. Discovery

1. The parties agree to provide their initial disclosures pursuant to Fed. R. Civ. P. 26(a) on or before July 29, 2005.
2. The parties agree that each party is limited to a total of 25 interrogatories (inclusive of sub-parts) and 10 requests for the production of documents (inclusive of sub-parts), plus discovery of experts as provided in Fed. R. Civ. P. 26(a)(2).
3. The parties agree that each party shall be limited to a total of 10 fact witness depositions with each deposition not to last longer than one 6 hour day.
4. Counsel for the parties agree to confer as needed and as required by the

Federal Rules of Civil Procedure to resolve any discovery or case management dispute.

C. Discovery Cut Off Date

The parties agree that discovery in this matter should require approximately 120 days to complete. Accordingly, discovery should close on or after November 23, 2005.

D. Other deadlines.

1. The parties have discussed the contentions raised by the United States in its first affirmative defense to the complaint. In that regard, the parties agree that any motions to amend the pleadings or join or substitute a party will be served no later than August 25, 2005.

2. The parties agree that any dispositive motion and brief in support shall be served on or before January 6, 2006. Any response to the dispositive motion shall be served on or before February 6, 2006. Any reply thereto shall be due filed on or before February 21, 2006.

E. Status Conference

The parties believe that it is likely, at the close of discovery, that any remaining dispute between the parties will be one of law. Accordingly, the parties request that the Court schedule and conduct a status conference following the completion of briefing of any dispositive motions, in lieu of setting dates for trial. Should dispositive motions not be filed, the parties request that the Court schedule and conduct a status conference within 60 days of the close of discovery.

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Respectfully submitted,

QUINN, BUSECK, LEEMHUIS,
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